

REMARKS

Applicant appreciates the time taken by the Examiner to review Applicant's present application. Claims 1-61 remain pending in this application. This application has been carefully reviewed in light of the Official Action mailed April 11, 2006. Applicant respectfully requests reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 103

Claims 1-61 stand rejected as being obvious in light of U.S. Patent No. 6,591,266 ("Li") in view of U.S. Patent No. 6,697,849 ("Carlson"). Applicant respectfully traverses this rejection.

A large amount of prosecution in this matter focused on whether a previously filed Declaration Under 37 C.F.R. 1.131 (the "Declaration") evidenced *conception* prior to the date of Li as the Examiner consistently objected to the Declaration as being insufficient to show *conception*. Applicant filed an appeal to address this threshold question of *conception*. The Board of Patent Appeals and Interferences (BPAI) agreed that the Examiner applied an inappropriate standard in evaluating whether the Declaration showed *conception* by seeking evidence of *due diligence*. The BPAI went on to state that "at best, Appellant's Declaration evidences a "conception" date of invention prior to Li's effective date . . . [but Appellant's] have not presented sufficient evidence to establish conception . . . *coupled with due diligence*." BPAI Decision issued May 26, 2009, pp. 7-8 (emphasis in original). In accordance with the BPAI Decision, Applicant submits that the Declaration and evidence provided are sufficient to show *conception* prior to Li. Therefore, if the Examiner wishes to maintain his objection as to the sufficiency of the Declaration, Applicant requests that he do so on other grounds.

Additionally, Applicant has amended the Claims and requests that the Examiner reconsider the rejections in light of these amendments. Claim 1, as amended, recites:

A method for cache management and regeneration of dynamically-generated content ("DGC") in one or more server computers within a client-server computer network, comprising the steps of:

in response to a regeneration event notification from a content management system received by a cache manager, identifying a set of one or more previously cached DGC components affected by said regeneration event using the cache manager;

using the cache manager to invoke a page generator to regenerate each affected DGC component using one or more attributes from a corresponding file name for each DGC component, wherein the attributes are used by the page generator to determine how to regenerate content for each affected DGC;

regenerating a new version of each affected DGC component in said set to incorporate a criteria associated with said regeneration event based on the one or more attributes associated with that affected DGC component, wherein the page generator performs the regenerating; and

replacing each affected DGC component in said set with said respective new version of each using the cache manager.

Claim 1, thus, includes the features of a cache manager that acts in response to a notification of a regeneration event from a content management system. The cache manager can identify dynamically generated content (DGC) components in a cache that are affected by the regeneration event and invoke a page generator to regenerate the affected DGC components using attributes from the file names used to store the previously stored components in cache. The page generator can regenerate the affected DGC components using the attributes to generate the dynamic content. Thus, for example, if the cache manager identifies a DGC component has having a file name with the attribute "no one", the page generator knows how to execute a particular template to generate content. See, '914 Application, page 23, lines 5-17.

Neither Li nor Carlson appear to teach a cache manager that receives notifications of regeneration events from a content management system, identifies files in the cache to be regenerated and invokes a page generator to regenerate the affected cached content using attributes from the file names of the cached content to determine how to regenerate the content. If the Examiner disagrees, Applicant respectfully requests that the Examiner point out where Li or Carlson teach each of the limitations of Claim 1 or allow Claim 1. Similarly, Applicant requests that the Examiner point out where each of the features of Claims 23 and 43 can be found in the cited references or also allow these claims.

Claims 15-22:

Claim 15 recites that "every cached DGC component is associated with a custom cached file name comprising a combination of an initial file request name with a selected attribute of a computer user."

Claim 16 recites that "said selected attribute is selected from the group including browser name, user language, computer domain, computer platform, and content ID."

Claim 17 recites that "said selected attribute is a default attribute."

Claim 18 recites that "said default attribute is no user attribute."

Claim 19 recites "said selected attribute is used in said regenerating step to regenerate said new versions of said affected DGC components."

Claim 20 recites "said selected attribute is keyed to a particular application."

Claim 21 recites that the method of Claim 1 further comprises "the step of updating a docroot file system to indicate changes resulting from replacing said affected DGC components."

Claim 22 recites that "said docroot file system is associated with a memory-based cache repository or a file-based cache repository."

In rejecting these eight claims in the April 11, 2006 Office Action, the Examiner failed to point out where any of the specific claim limitations were found. Instead, the Examiner cited over twelve columns of Li as showing all of the limitations without providing any further guidance. It is not clear, for example, which feature of Li the Examiner contends is a "custom cached file name comprising a combination of an initial file request name with a selected attribute of a computer user." Therefore, Applicant respectfully requests that the Examiner specifically point out where the features of Claims 15-22 can be found in Li or withdraw the rejection of these claims in light of Li. Similarly, the Examiner cited several passages of Carlson that do not appear to be applicable to all the limitations of Claims 15-22 for which they are cited. For example, Applicant was unable to find a description of a file name "comprising a combination of an initial file request name with a selected attribute of a computer user" in the passages of Carlson cited. Applicant therefore requests that the Examiner specifically point out where each of the limitations of Claims 15-22 can be found in Carlson or withdraw the rejection.

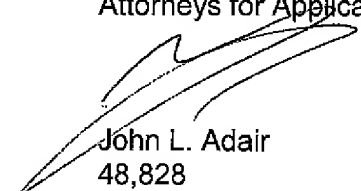
CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-61.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

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